



TERRA TECHNOLOGIES

VIA FACSIMILE and Regular Mail
(913) 551-7925

September 10, 2004

Ms. Cheryle Micinski
Deputy Regional Counsel
U.S. Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Re: Clarifications to Information Request
West Lake Landfill Site



11.2

Dear Ms. Micinski:

This letter is in response to the September 1, 2004 letter requesting some clarifications to the August 25, 2004 letter prepared by Terra Technologies. We apologize that there was some confusion regarding the ownership and operation of the properties in question and hope that this letter provides the information requested as well as clarifications to the other questions.

As indicated in the August 4, 2004 letter, "AAA Trailer Services, Inc. (AAA) rents, leases or owns property adjacent to the Landfill property known as the Crossroad Property..." The August 4, 2004 letter from the United States Environmental Protection Agency (EPA) was sent to the registered agent of AAA which was subsequently forwarded to Mr. Lindell Byron at AAA. Mr. Lindell Byron is the President of AAA Trailer Services. In addition, Mr. Byron is also one of the partners of V&B Realty, LLC which currently owns the Buffer Property adjacent to the Landfill. As described in the previous response letter, AAA Trailer is leasing the properties in question (Lot 2A2 and the Buffer Property) and does not own the properties. Therefore, the previous response was prepared on behalf of one of the property owners, Mr. Lindell Byron, who also works for AAA.

As requested, clarifications have been prepared for each of the questions set forth in the request for information.

- 1. The response to question 2 states that "As you are aware, around July 1999, the upper two to six inches of soil material was scraped from the Crossroad and buffer properties". The question required that the identity of the person*

performing the action, and also a map indicating the area affected. This information was not provided. The response also states that a "geotextile fabric was placed on the ground surface of both properties and approximately 8 to 12 inches of gravel was placed on the geotextile". Explain whether any additional soil removal, grading, or other re-work of the surface was performed before the geotextile was installed.

The figure provided in the August 4, 2004 EPA letter depicted the condition of the area after the initial grading work in July 1999 was performed. The figure has been modified to show the current conditions after the May 2003 work was performed.

The person that performed the work around July 1999 was Mr. Dave Berkel of Cleco Contracting (1446 Laverne Road, Arnold, MO 63010, 636-464-6420) and the person that performed the work around May 2003 was Mr. James Wilson of Bucanner Trenching & Excavating (Fletcher, MO 63030).

As part of the May 2003 activities, the area was first brush hogged to remove the weedy vegetation by the company that performs lawn care at the AAA facility, Bluegrass Lawn Care (13852 Ferguson Lane, Bridgeton, MO 63044, 314-770-2828, contact: Matt Voss). It is important to note that no soil was removed from the area. As the area was already level, grading or rework of the area was not necessary. Prior to placement of the geotextile fabric, any standing vegetation that remained after the brush hogging was flattened by simply driving over it with a high-lift or dragging over it with the bucket of the high-lift so that the fabric would lay flat for ease of placement of the rock. No soil was moved as part of this activity. The portion of the berm along the southern end of the property was relocated using a high-lift to the northern end of the area as depicted on the attached figure. This was the only intrusive activity that was performed at this time. The mounded soil is currently covered with volunteer vegetation making it difficult to observe.

2. *Question 7 asked for the identity of the person answering the questions. The response indicated that while Mr. Heinze from Terra Technologies prepared the responses, Mr. Lindell Byron provided the input; the instructions which accompanied the information request state that "identify" means "the person's full name; present or last known business and home addresses and telephone numbers; and present or last known employer (including full name and address) with title, position or business. This information was not provided for Mr. Byron.*

The information for Mr. Lindell W. Byron was unintentionally left out of the previous letter and is provided below.

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Ms. Cheryle Micinski
U.S. EPA
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September 10, 2004
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Business Address

AAA Trailer Services, Inc.
4605 Crossroads Industrial Drive
St. Louis, Missouri 63044
(314) 739-6000 (phone)
(314) 739-6606 (facsimile)

Home Address

6341 State Road N.
DeSoto, Missouri 63020
636-337-5466

As previously discussed, Mr. Byron is President of AAA Trailer Services, Inc. and is also a partner in V&B Realty, LLC which owns the Buffer property of Lot 2A2.

3. *Question 4 requested information regarding the fate of the bermed or mounded soil located along the property line. The letter explained that as a result of an inspection in October, 2003, it was observed that the bermed or mounded soil were no longer present. The response stated that "According to Mr. Byron, the bermed or mounded soil and other material that was previously located along the property line was not removed and is still located along the property line". Please explain this inconsistency. Is the reported observation from October 2003 in error? If the bermed or mounded material is still along the property line, why is it not evident or visible?*

As previously discussed, no soil was removed from the property. The bermed material was relocated to the northern end of the area and is covered with volunteer vegetation making observation of the mound difficult. Additional detail regarding this issue was provided in the response to Question #1 of this letter.

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We hope that this information clarifies the previous information provided. Should you have any questions regarding the responses to the questions or need additional information, please do not hesitate to contact Mr. Lindell Byron at (314) 739-6000 or me at (314) 434-1550.

Sincerely,

TERRA TECHNOLOGIES, INC.



David J. Heinze, P.E.
Principal

Attachments

cc: Mr. Lindell Byron

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